

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-Publication of Notice Statement)

Amend Subsection 360(d),
Title 14, California Code of Regulations
Re: Deer: Fund-Raising License Tags

- I. Date of Initial Statement of Reasons: January 14, 2002

- ## II. Dates and Locations of Scheduled Hearings:

- | | | |
|-------------------------|-----------|------------------------|
| (a) Notice Hearing: | Date: | February 9, 2002 |
| | Location: | Sacramento, California |
| (b) Discussion Hearing: | Date: | March 8, 2002 |
| | Location: | San Diego, California |
| (c) Discussion Hearing: | Date: | April 5, 2002 |
| | Location: | Long Beach, California |
| (d) Adoption Hearing: | Date: | April 25, 2002 |
| | Location: | Sacramento, California |

- ### III. Description of Regulatory Action:

- (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

- ## 1. Modify Season for Golden Opportunity Tag

Existing regulations for the Golden Opportunity Fund-raising license tag provides for a season beginning the second Saturday in July and extending through January 31. Current time lines for compliance with Environmental Document filing require that analysis of harvest and population modeling be completed by mid-January. In order to meet this deadline, harvest data must be available by the first week in January. The current timing of the Golden Opportunity Fund-raising license tag season does not allow this to occur.

The proposal would move the closing date of the Golden Opportunity Fund-raising license tag from January 31 to December 31, thus allowing sufficient time for the collection of harvest data and incorporation of this data into the Environmental Document analysis.

2. Minor Editorial Changes

Existing regulations provide reference to various subsections of Section 371. Deer Tag Application and Distribution Procedures. Under the proposed change, Section 371 would be deleted and its contents moved to a newly created Section 708, titled, Big Game License Tag, Application, Distribution and Reporting Procedures which would address tag application and distribution procedures for all big game species. Minor editorial changes are necessary to account for section reference number changes.

The proposed changes are minor editorial changes to section and subsection reference number brought about by the proposed deletion of Section 371 and incorporation into new Section 708. These minor editorial changes are necessary to maintain consistency in the regulations.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 203, 220, 460, 3452, 3453, and 4334, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 460, 3452, 3453, and 4334, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change: None.

(d) Identification of Reports or Documents Supporting Regulation Change:

2002 Draft Environmental Document Regarding Deer Hunting.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

In 2000, the Department held a total of twenty-three (23) "Deer Stakeholder" meetings throughout the state. The meetings were open to the public, and the Department provided information on a variety of deer management strategies and issues including: Deer Assessment Unit (zone complex) planning and tag draw method alternatives. Attendees were asked to participate in a survey

and public comment was also received. The dates and locations of these meetings were as follows:

July 24, 2000 - Chico
July 25, 2000 - Modesto
July 26, 2000 - Fresno
July 27, 2000 - Bakersfield
August 9, 2000 - Folsom
August 10, 2000 - Truckee
August 22, 2000 - Bishop
August 23, 2000 - Long Beach
August 24, 2000 - El Cajon
September 12, 2000 - Santa Barbara
September 28, 2000 - Salinas
October 17, 2000 - Eureka
October 18, 2000 - Red Bluff
October 19, 2000 - Susanville
October 20, 2000 - Redding
October 23, 2000 - Alturas
November 1, 2000 - Rohnert Park
November 14, 2000 - Yreka
November 16, 2000 - Merced
November 21, 2000 - Arroyo Grande
December 7, 2000 - Livermore
December 11, 2000 - El Centro
December 14, 2000 - Redlands

In addition, the Department conducted four public meetings in which regulation change concepts and specific proposals for mammals and furbearers, including deer were presented and discussed, and additional public comment was received. The dates and locations of these meetings were as follows:

November 7, 2001 in Fresno
November 13, 2001 in San Diego
November 29, 2001 in Monterey
December 13, 2001 in Sacramento

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Modify Season for Golden Opportunity Tag

There is no reasonable alternative to the proposed action.

2. Minor Editorial Changes

The proposed change is for clarification only, and no reasonable alternative exists.

(b) No Change Alternative:

1. Modify Season for Golden Opportunity Tag

The no change alternative was considered and found inadequate to attain the project objectives, because the current timing of the season is too late to allow the incorporation of the most accurate harvest data into population and Environmental Document analysis.

2. Minor Editorial Changes

The no change alternative was considered and found inadequate to attain the project objectives, because inconsistencies in section and subsection references, numbering, spelling, grammar and lack of clarification would exist within the regulations.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

- (a) The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.
- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

INFORMATIVE DIGEST (Policy Statement Overview)

Existing regulations provide for a deer hunting season which begins the second Saturday in July and extends through January 31 for Golden Opportunity Fund-raising License tags. In order to facilitate the incorporation of the most accurate harvest data into population modeling and the Environmental Document analysis, the proposal would change the season end date from January 31 to December 31.

Existing regulations provide reference to other sections and subsections in Title 14, CCR. Under current proposals, Sections 370, 371, 372 and 373 would be deleted and moved to a new Section 708, titled Big Game License Tags, Application, Distribution and Reporting Procedures. The proposal would provide minor editorial revisions for consistency in section and subsection reference changes, as well as, any adjustments for subsection numbering, spelling and grammar.